

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:

JALIZ WILSON,

Debtor.

)
) Bankruptcy Case
) No. 19-10184-BFK
) Chapter 7
)

APPLICATION TO EMPLOY REAL ESTATE AGENT AND BROKER

COMES NOW H. Jason Gold, Trustee ("Trustee"), by counsel, and files this Application to Employ Real Estate Agent and Broker, stating to the court as follows:

1. H. Jason Gold is the duly qualified and acting chapter 7 Trustee herein.
2. Among the assets in this case is a parcel of real property commonly known as 43113 Binkley Circle, Leesburg, Virginia 20176 ("Property").
3. In order to market and administer the Property for maximum benefit to the estate and its creditors, it is necessary to employ the services of a licensed real estate agent and broker.
4. Based on the foregoing, the Trustee desires to employ Stephen Karbelk as the real estate agent and team leader of RealMarkets ("Agent"), who is affiliated with Century 21 New Millennium ("Broker"), to procure and submit to the Trustee offers to purchase the Property. In consideration for its services, the Broker will request compensation, upon consummation of any such sale, for a real estate broker's commission in an amount equal to six percent (6%) of the sales price.
5. Nonetheless, payment of the Broker's fees and costs shall only be made upon further order of the Bankruptcy Court.

H. Jason Gold, Va. Bar No. 19117
David M. Barnes, Jr., Va. Bar No. 86747
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Counsel to the Chapter 7 Trustee

6. In order to facilitate the sale of the Property under these circumstances, the Trustee further requests that the Court authorize his Agent, Stephen Karbelk of Century 21 New Millennium and his co-listing agents, Stephanie Young and Robert Walters of Century 21 New Millennium, to request and obtain verbal and written payoff statements, payment histories, and related information and documents from any secured creditor in this case, including LoanCare and CIT Bank (the "Secured Creditors"); and provide such documents as may be reasonably requested by the Secured Creditors in connection with any sale.

7. The Agent is authorized to put all utility accounts, including the electric, gas and water accounts, into the name of Stephen Karbelk or Auction Markets, LLC, the Agent's operating entity, as Agent for the Trustee. The Agent shall not be responsible for paying any past due amounts that were incurred prior to the petition date of the bankruptcy filing. Subject to further order and approval of this court, the Agent shall be reimbursed for all utility expenses upon the sale of the Property.

8. The Agent whom the Trustee proposes to employ has been informed and understands that no sale may be consummated until after notice and a hearing and with Court approval.

9. In addition, to the extent that the Trustee pursues an alternative disposition of the Property, including a sale of the available equity to the Debtor, the Trustee seeks authority to employ the Agent to advise the Trustee concerning the value of the Property, at the Agent's rate of \$175/hour. In the event he deems it advisable, the Trustee will seek this Court's approval for payment of compensation to the Broker for the value of the Agent's time in assisting the Trustee.

10. The Trustee believes that the employment of the Agent and Broker on the terms and conditions provided for herein is in the best interest of the estate.

11. The Trustee is satisfied by the Declaration of Real Estate Agent that the Agent is a disinterested person within the meaning of 11 U.S.C. § 101(14), attached hereto as Exhibit "A."

12. To the best of the Trustee's knowledge, neither the Agent nor the Broker represent any interest adverse to the Trustee or the bankruptcy estate, and have no connection with the Debtor, her creditors, other parties in interest, purchasers or potential purchasers of the subject real estate, the United States Trustee, or anyone employed by the United States Trustee, except that the Agent, with the support of either Stephanie Young and/or Robert Walters, have been employed to assist the Trustee, both in his capacity as Trustee and his personal capacity, with the sale of assets in other matters.

13. The Trustee seeks to employ the Agent and Broker pursuant to 11 U.S.C. § 327(a).

WHEREFORE, the Trustee respectfully requests the entry of an Order authorizing the employment of the Agent and Broker as the real estate agent and real estate broker in this case under the terms described hereinabove and for such further relief as the Court deems just and proper.

Respectfully submitted,

H. JASON GOLD, TRUSTEE

By Counsel

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By: /s/ David M. Barnes, Jr.
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Counsel to the Chapter 7 Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of May 2019, the foregoing Application to Employ Real Estate Agent and Broker and its accompanying Declaration, were served via U.S. mail upon:

Office of the United States Trustee
1725 Duke Street, Suite 650
Alexandria, VA 22314

James P. Campbell
Campbell Flannery, P.C.
One Village Plaza
1602 Village Market Boulevard, Suite 220
Leesburg, VA 20175

/s/ David M. Barnes, Jr.
David M. Barnes, Jr.